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09/832,870	04/12/2001	Bok Hyun Pack	LT-002	1379

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EXAMINER

FISH, JAMIESON W

ART UNIT	PAPER NUMBER
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2616

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/832,870

Applicant(s)

PACK ET AL.

Examiner

Jamieson W. Fish

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "110" has been used to designate both "product item" and "Network interface." Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Morey.

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4. Regarding claim 1, Morey teaches a method for providing information through a broadcast signal, comprising: generating a digital broadcast signal (See Fig. 1 Digital signal 1, Paragraph 40 "digital signal generated by service providers"); selecting an item included in a scene presented from the generated broadcast signal (See Paragraph 13); and providing information for the selected item and address information for a web site providing detailed information for the selected item with the generated broadcast signal (See paragraph 52 "Internet links are displayed as numeric overlays"); and multiplexing information for the selected item and address information for a web site providing detailed information for the selected item with the generated broadcast signal (See Fig. 3 "A television station could possibly broadcast simultaneously...different channels on one single bandwidth...one or more of these channels could be data." This is multiplexing).

5. Regarding claim 2, Morey further teaches wherein the digital broadcast signal is an air-broadcast digital television signal (See Paragraph 39 "satellite service systems, microwave systems, fiber optic, and radio frequency systems (RF) systems" and Paragraph 40 "digital broadcast").

6. Regarding claim 3, Morey further teaches wherein the digital broadcast signal is a digital data stream broadcast in one of a multi-casting format and a uni-casting format through the Internet (See Paragraph 39 "or Internet Service Provider provides a channel of television/video service and a channel of data service, over a T/T cable to the equipment of one or more users").

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7. Regarding claim 4, Morey further teaches wherein the information for the selectable item is to differentiate the selectable item from others (See Fig. 5b and Paragraph 52 "all available Internet links are displayed as numeric digital overlays").

8. Regarding claim 5, Morey further teaches wherein the information for the selected item is accessible through interaction by a user (See Paragraph 52, "The user selects link associated with vehicle.")

9. Regarding claim 6, Morey further teaches recording the generated broadcast signal including information on the selected product item and the web site address in a recording medium (See Paragraph 40, "The nonvolatile part of system memory...").

10. Regarding claim 7, Morey teaches a method for obtaining supplementary information on an item using a broadcast signal and a network, comprising: receiving a digital broadcast signal (See Fig 2, A/V connection module and Paragraph 40); extracting first information on a selectable item included in a scene from the digital broadcast signal information for the item from the received digital broadcast signal (See Figs. 5a and 5b Paragraph 52, "Upon pressing links button 23, all available internet links are displayed...") and address information of a web site providing second information for the item from the received digital broadcast signal (See Figs. 5a and 5b Paragraph 53 "creates the URL for the selected scene content"); and making a connection with the web site addressed by the extracted address according to a user's selection of the extracted first information on the selectable item (See Paragraph 53 "By permitting the user to select an item").

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11. Regarding claim **8**, Morey further teaches wherein the digital broadcast signal is an air-broadcast digital television signal (See Paragraph 39 "satellite service systems, microwave systems, fiber optic, and radio frequency systems (RF) systems" and Paragraph 40 "digital broadcast").

12. Regarding claim **9**, Morey further teaches wherein the digital broadcast signal is a digital data stream broadcast in one of a multi-casting format and a uni-casting format through the Internet (See Paragraph 39 "or Internet Service Provider provides a channel of television/video service and a channel of data service, over a T/T cable to the equipment of one or more users").

13. Regarding claim **10**, Morey teaches wherein the first information on the selectable item is to differentiate the selectable item from other selectable items in the digital broadcast signal (See Fig. 5b and Paragraph 52 "all available Internet links are displayed as numeric digital overlays").

14. Regarding claim **11**, Morey further teaches wherein the connection enables access to the second information about the selected item, wherein the second information is larger than the first information (See Fig 5b, and Paragraph 52). A web page (second information) would be larger than a numeric digital overlay (second information) in both screen area size and amount of digital information.

15. Regarding claim **12**, Morey teaches a method for supplying information through a broadcast signal comprising: receiving an incoming broadcast signal with a plurality of frames (See Fig 1, A/V connection module and Paragraph 40, "receives analog/digital audio signals and digital data ..."); identifying a plurality of selectable items in at least

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one of the plurality of frames (See Fig 5a and Paragraph 52); obtaining first information on each of the plurality of selectable items for presentation (See Fig 5a and 52, ""numeric digital overlay"); combining the first information on each of the plurality of selectable items to provide the first information correspondingly with in the received broadcast signal (See Paragraph 41); Morey teaches that a data service channel (first information) and a video service channel can are both provided by a satellite provide as well as a internet service provider (See paragraph 39); and multiplexing the first information on each of the plurality of selectable items to provide the first information correspondingly within the received broadcast signal; and constructing an outgoing broadcast signal that includes the incoming broadcast signal and the multiplexed information (See Fig 3. "A television station could possibly broadcast simultaneously...different channels on one single bandwidth...one or more of these channels could be data." This is multiplexing).

16. Regarding claim **13**, Morey further teaches wherein the first information provided comprises at least one of product sales information, product use information and product address information (See Paragraph 52 and Fig. 8b, "How much" "why" "where").

17. Regarding claim **14**, Morey further teaches wherein the product address information comprises a worldwide web address or hyperlink (See Paragraph 52 "the transceiver accesses the Internet and views and accesses the desired link").

18. Regarding claim **15**, Morey further teaches wherein the outgoing broadcast signal is a digital data stream broadcast (See Paragraph 39 "or Internet Service

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Provider provides a channel of television/video service and a channel of data service.”)

It is understood that an ISP broadcast is a digital data stream broadcast.

19. Regarding claim **16**, Morey further teaches wherein the outgoing broadcast signal is a digital data stream broadcast in one of a multi-casting format and a uni-casting format through the Internet (See Paragraph 39 “or Internet Service Provider provides a channel of television/video service and a channel of data service, over a T/T cable to the equipment of one or more users”).

20. Regarding claim **17**, Morey further teaches wherein the outgoing broadcast signal is in an air broadcast digital television signal (See Paragraph 39 “satellite service systems, microwave systems, fiber optic, and radio frequency systems (RF) systems” and Paragraph 40 “digital broadcast”).

21. Regarding claim **18**, Morey further teaches recording the outgoing broadcast signal on a recording medium (See Paragraph 40 “temporary storage of data received”).

22. Regarding claim **19**, Morey teaches a broadcast system comprising: a video acquisition unit receiving an incoming broadcast signal with a plurality of frames (See Fig. 2 A/V connection module and Paragraph 40 “The A/V connect module switches and receives...”); a controller identifying a plurality of selectable items in at least one of the plurality of frames (See Memory and Bus controller 11 and Paragraph 40); a product information composer obtaining first information on each of the plurality of selectable items for presentation (See Fig. 2 A/V connection module and Paragraph 40 “the A/V module provides a graphic digital overlay function,”); a storage unit for storing the first information and the incoming broadcast signal (See Fig. 1 System memory and



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Paragraph 40); and a multiplexer coupled to the controller for multiplexing the first information on each of the plurality of selectable items to provide the first information correspondingly within the received broadcast signal to construct an outgoing broadcast signal (See Fig 3. "A television station could possibly broadcast simultaneously...different channels on one single bandwidth...one or more of these channels could be data." This is multiplexing). It is inherent that a television station that broadcasts multiplexed signals has a multiplexer coupled to the controller.

23. Regarding claim 20, Morey further teaches wherein the first information provided comprises one of product sales information, product use information, and product address information (See Paragraph 52 and Fig. 8b, "How much" "why" "where"), and wherein the outgoing broadcast signal is one of a digital data stream broadcast (See Paragraph 39).

### ***Conclusion***

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kaiser et al. (U.S.# 6,615,408) and Nishioka (U.S. #2004/0168198). Kaiser's Method, System, and Apparatus teaches providing action selections to an image referencing a product in a video. Nishioka teaches multiplexed television broadcast signal that contains both programming and hyper text data.

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamieson W. Fish whose telephone number is 703-305-0884. The examiner can normally be reached on Monday-Friday, 8:00 a.m. -5:30 p.m.

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26. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

27. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JF 11/12/2004

  
NGOC-YEN VU  
PRIMARY EXAMINER